IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

and
HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL NO : 1057 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 31/01/2005 in WP NO : 18501 OF 2002 on the file of the High Court.)

Between:

1 Alupula Rajaiah, s/o Narsaiah,
r/o Peddapalli Town, Karimnagar District.
2 Alupula Sudarshan, s/o Bhoomaiah,
r/o Peddapalli Town, Karimnagar District.
3 Smt.Sayyada Rukshsana Begum, w/o Md.Yousuf,
r/o Peddapalli Town, Karimnagar District.
4 Maseeha Afreen, d/o Syed Mohiuddin,
r/o Peddapalli Town, Karimnagar District.

..... APPELLANTS

AND

1 Government of A.P., rep. by its Principal Secretary,
Roads & Buildings Department,
Secretariat, Hyderabad.
2 The District Collector, Kareemnagar District, at
Karimnagar.
3 The Superintending Engineer, R& B Circle,
Kareemnagar, Kareemnagar District.
4 The Executive Engineer, R&B Division, Peddapalli,

Karimnagar District.

.....RESPONDENTS

Counsel for the Appellants : MR.C.R.PRATAP REDDY

Counsel for the Respondents: GP FOR TRANSPORT & ROADS & BUILDINGS.

The Court made the following :

*Form-NIC-OGS/WA {**RS**}*

ORAL JUDGMENT:

(per Hon'ble The Acting Chief Justice)

…..

1. The petitioners filed the writ petition seeking compensation for the lands in Sy.Nos.628, 629, 678 and 690 in an extent of Ac.3.00 in Peddapalli town, Karimnagar District, which allegedly was used for the purpose of widening of the road. Lawyer's notice allegedly was given on 20.02.2002 claiming compensation. 4th respondent filed a counter before the learned single Judge in which it was stated that the road was improved by the Command Area Development (R & B) Wing under the control of S.R.S.P., and handed over to R & B Special Division in 1992 and from 1992 it was being maintained by

R & B Special Division.

2. From 1992 till 2002 when lawyer's notice was given, no complaint was made with regard to the compensation by the petitioners. The learned single Judge also noted that the petitioners had pleaded nothing as to the date or month in which the petitioners' land was illegally occupied by the R & B authorities. They had also not pleaded the extent of the land which the petitioners owned. In these circumstances, the learned single Judge was right in dismissing the writ petition. Therefore, we do not find any ground to interfere with the order of the learned single Judge. Accordingly the writ appeal is dismissed. No costs.

_____

BILAL NAZKI, ACJ.,

_____

G. CHANDRAIAH. J.,

Dated: 27.06.2005.

VRK.

To

1 The Principal Secretary to Government,
Roads & Buildings Department,
Secretariat, Hyderabad.
2 The District Collector, Kareemnagar District, at
Karimnagar.
3 The Superintending Engineer, R& B Circle,
Kareemnagar, Kareemnagar District.
4 The Executive Engineer, R&B Division, Peddapalli,
Karimnagar District.

5. Two CCs to G.P., for Transport, Roads & Buildings, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.

HON'BLE SRI BILAL NAZKI,

ACTING CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE

G. CHANDRAIAH.

-

-

-

W.A.NO. 1057 OF 2005.

(Judgment of the Bench delivered by

Hon'ble The Acting Chief Justice)

Dt: 27.06.2005.